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Supreme Court, U.S.
FILED
FEB 2 1987
JOSEPH F. SPANIOL, JR.
CLERK

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1986

STATE OF OREGON,
Plaintiff-Appellee,

v.

BOYD R. BATY,
Defendant-Appellant.

On Appeal from the
Supreme Court of the State of Oregon

APPENDIX TO JURISDICTIONAL STATEMENT

BOYD R. BATY
19197 S. Molalla Ave. #161
Oregon City, OR 97045
(503) 653-5478 Appellant in Pro Per

DAVID FROHNMEYER (71001)
Attorney General
VIRGINIA L. LINDER (80294)
Solicitor General
THOMAS H. DENNEY (66034)
Assistant Attorney General
400 Justice Building
Salem, OR 97310
(503) 378-4402 Attorneys for Appellee

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IN THE DISTRICT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLACKAMAS

STATE OF OREGON, Plaintiff,	)	No. 82524
vs.	)	ORDER
BOYD R. BATY, Defendant.	)	

The matter of _____

coming on before the Court on the 31 day of May, 1985,

IT IS HEREBY ORDERED AND ADJUDGED that: Ct takes judicial notice of all statutes & state & fed constit.

all other motions denied --

all other objections overruled --

and IT IS SO ORDERED.

DATED THIS 31 day of May, 1985

M

JUDGE

IN THE COURT OF APPEALS OF THE

STATE OF OREGON

STATE OF OREGON,
Respondent,

v.

BOYD R. BATY,
Appellant.

FILED
Court of Appeals
JUN 25 1986
State Court Administrator
By _____ Deputy

Court of Appeals Case No.: CA A37864

Trial Court Case No.: 82524 (C)

Appeal from: Clackamas County

Judge: Raymond R. Bagley, Jr.

Date submitted on briefs: May 22, 1986

Before: Richardson, Presiding Judge, and
Newman and Deits, Judges

Attorney for appellant: Boyd R. Baty,
Pro se

Attorney for respondent: James Mountain

Affirmed without opinion.

Date filed: June 25, 1986

IN THE COURT OF APPEALS OF THE

STATE OF OREGON

STATE OF OREGON Plaintiff Respondent	)	ORDER DENYING RECONSIDERATION
v.	)	
	)	CA A37864
BATY, BOYD R Defendant Appellant	)	SC S33094

The Court of Appeals has considered the Petition for Review filed in this case as a Petition for Reconsideration and has, on AUGUST 15, 1986, denied the petition. ORAP 10.10. The Supreme Court may now proceed to determine whether to grant review. The appellate court decision is not enforceable until the Supreme Court has completed its review of the petition. ORAP 11.03.

S/GEORGE M. JOESEPH
CHIEF JUDGE

IN THE SUPREME COURT OF THE STATE OF OREGON

STATE OF OREGON	)	
	)	ORDER DENYING
Respondent	)	REVIEW
v.	)	
	)	CA A37864
BATY, BOYD R	)	SC S33094
	)	
Petitioner	)	

The Court has considered the petition for review and ORDERS that it be denied.

DATE: SEPTEMBER 30, 1986.

/s/ EDWIN J. PETERSON

CHIEF JUSTICE

IN THE SUPREME COURT OF THE STATE OF OREGON

STATE OF OREGON,	)	
	)	ORDER DENYING
Respondent on Review,	)	RECONSIDERATION
	)	
v.	)	
	)	CA A37864
BOYD R. BATY,	)	SC S33094
	)	
Petitioner on Review,	)	

The Court has considered the petition for reconsideration and ORDERS that it be denied.

DATE: November 4, 1986.

/s/ EDWIN J. PETERSON

CHIEF JUSTICE

IN THE COURT OF APPEALS OF THE

STATE OF OREGON

STATE OF OREGON,
Respondent,

v.

BOYD R. BATY,
Appellant.

FILED
Court of Appeals
JUN 25 1986
State Court Administrator
By _____ Deputy

Court of Appeals Case No.: CA A37864

Trial Court Case No.: 82524 (C)

Appeal from: Clackamas County

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Date submitted on briefs: May 22, 1986

Before: Richardson, Presiding Judge, and Newman and Deits, Judges

Attorney for appellant: Boyd R. Baty, Pro se

Attorney for respondent: James E. Mountain

Affirmed without opinion.

Date filed: June 25, 1986

Date Supreme Court denied petition for review: SEP 30 1986

Date appellate judgment enforcable: NOV 5 1986

IN THE COURT OF APPEALS OF THE

STATE OF OREGON

STATE OF OREGON,	) Clackamas District
	) 82524
Plaintiff-Respondent,	)
	) CA A37864
v.	)
	) ORDER RECALLING
BOYD R. BATY,	) APPELLATE JUDGMENT
	) AND STAYING ACTION
Defendant-Appellant.	)

Appellant has moved for a recall of the appellate judgment and for a stay of issuance thereof pending disposition of his appeal to the United States Supreme Court. The motion is allowed.

The appellate judgment of November 5, 1986, is hereby recalled, and re-issuance thereof is stayed pending his appeal to the United States Supreme Court.

/s/ George M. Joseph
Chief Judge

NOV 21 1986
Date

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1986

STATE OF OREGON,
Plaintiff-Appellee,

v.

BOYD R. BATY,
Defendant-Appellant.

On Appeal from the
Supreme Court of the State of Oregon

NOTICE OF APPEAL

BOYD R. BATY
19197 S. Molalla Avenue #161
Oregon City, Oregon 97045
(503) 653-5478 Appellant in Pro Per

DAVID FROHNMEYER (71001)
Attorney General
VIRGINIA L. LINDER (80294)
Solicitor General
THOMAS H. DENNEY (66034)
Assistant Attorney General
400 Justice Building
Salem, Oregon 97310
(503) 378-4402 Attorneys for Appellee

To: The Attorney General for the State of Oregon, David Frohnmayer.

I

Defendant hereby gives Notice of Appeal from the order entered in this case (SC S33094) on November 4, 1986, by Chief Justice Edwin J. Peterson in the Supreme Court of the State of Oregon, denying reconsideration of its order of September 30, 1986, denying review of the order of the Oregon Court of Appeals filed on June 25, 1986 (CA A37864) which affirmed without opinion the judgment of conviction of appellant in the Oregon State District Court for the County of Clackamas (No. 82524).

II

The adverse party to the appeal is the State of Oregon.

III

The names, bar numbers, addresses, and telephone numbers of attorney's are:

DAVID FROHNMEYER (71001)
Attorney General
VIRGINIA L. LINDER (80294)
Solicitor General
THOMAS H. DENNEY (66034)
Assistant Attorney General
400 Justice Building
Salem, Oregon 97310
(503) 378-4402 Attorneys for Appellee

BOYD R. BATY
19197 S. Molalla Avenue #161
Oregon City, Oregon 97045
(503) 653-5478 Appellant in Pro Per

IV

I hereby certify that I served the Notice of Appeal on the 18th day of November, 1986, within the 90 days allowed by law, by mailing a true copy thereof, in a sealed envelope with first-class postage prepaid, and addressed to:

Thomas H. Denney (66034)
Asssistant Attorney General
400 Justice Building
Salem, Oregon 97310

and on the same day a copy of this Notice of Appeal was filed with the clerk of the Oregon Court of Appeals wherein the judgment being appealed from was entered on June 25, 1986, and became enfofceable on

November 5, 1986, by mailing a true copy thereof, in a sealed envelope with first-class postage prepaid, addressed to:

Oregon State Court Administrator
Case Records Division
Supreme Court Building
Salem, Oregon 97310

the clerk of the Oregon State District Court for the County of Clackamas, the court having possession of the record, on November 18, 1986, by mailing a true copy thereof, in a sealed envelope with first-class postage prepaid, addressed to:

Clackamas County District Court
Office of the Clerk
Room 104, County Court House
Oregon City, Oregon 97045

V

This appeal is taken by authority of Article III section 2 of the United States Constitution and 28 USC 1257(2) made in pursuance thereof.

Respectfully submitted,

s/ Boyd R. Baty
In Propria Persona

Defendant-Appellant

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1986

STATE OF OREGON,
Plaintiff-Appellee,

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On Appeal from the
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Respectfully submitted,

s/ Boyd R. Baty
In Propria Persona

Defendant-Appellant